

Shared Parental Leave. Policy and guidance

Contents

1. Introduction.....	2
2. Scope.....	2
3. Definitions used.....	2
4. Unforeseen circumstances – support available.....	3
5. Employee’s Guide to Shared Parental Leave.....	3
5.1 Who is entitled to Shared Parental pay?.....	3
5.2 What is the rate of pay?.....	33
5.3 Some Illustrations.....	5
6. Manager’s Guide to Shared Parental Leave.....	8
6.5 Liaising with HR.....	9
Appendices.....	10

1. Introduction

The arrangements for Shared Parental Leave and Pay are designed to provide the opportunity for new parents and adopters to plan for the shared care of their child with greater flexibility.

This guide for employees and managers is intended to provide basic information in a straightforward way that will be helpful to those considering Shared Parental Leave.

The legislation is quite complicated so please contact your [HR team](#) to talk through your particular circumstances. Additional support and entitlements are set out in our [Special Leave and Parental leave policies](#).

This document does not form part of any contract of employment and may be amended from time to time as we learn from our experience and have future legislative changes.

2. Scope

Shared Parental Leave (SPL) can be taken by married couples, civil partnership couples, same-sex, same-gender and heterosexual couples, separated parents sharing care, couples in some surrogacy arrangements, and prospective adopters.

3. Definitions used

Queen Mary is committed to ensuring our policies are inclusive and therefore we will use gender neutral language throughout this policy. For ease, however, the following terminology is used throughout this document.

- **Birth Parent/Primary Adopter** refers to the pregnant employee or person who has given birth or the adoptive parent who intends to take adoption leave.
- **Partner** refers to the other biological parent of the child or the secondary adopter, or the person who, at the date of the child's birth or adoption, is married to, is the civil partner of, or the partner of the birth parent/primary adopter. This includes someone, of any gender, who lives with the birth parent/primary adopter and the child in an enduring family relationship but who is not the birth parent's/primary adopter's child, parent, grandchild, grandparent, sibling, or extended family.
- **Maternity Leave:** maternity leave or adoption leave.
- **Maternity Pay:** maternity pay or adoption pay.
- **Paternity Leave:** Expectant fathers are entitled from day one of employment to 2 weeks Paternity Leave in addition to the entitlements set out here
- **Ordinary Parental Leave** is unpaid leave of up to 4 weeks granted to parents up to when a child is 18 years old. Again, this leave is a day one right.
- **Expected Week of Childbirth (EWC):** either the expected week of childbirth or date of placement of adopted child.
- **Employee working for Queen Mary:** this term covers people on permanent (full-time or part-time) and fixed term contracts. It does not cover agency workers or self-employed contractors
- **Manager:** the line manager of the Queen Mary employee.
- **Department:** the part of Queen Mary to which the employee belongs. This includes

Schools and Institutes.

4. Unforeseen circumstances – support available

Shared Parental Leave requires planning and discussions between HR, line managers and the two individuals involved. This ensures that entitlements for both parties are clear and discussed.

However, planned dates and leave may be affected by many incidences such as premature birth, Neo Natal support, or the death of a child or parent during or up to a year after a birth.

A number of support measures are available to support employees in these cases. The details of various schemes and support are set out in our Special Leave policy.

5. Employee's Guide to Shared Parental Leave

5.1 Who is entitled to Shared Parental pay?

If you are the birth parent/primary adopter and a Queen Mary employee: You will still be entitled to ordinary and additional maternity leave or adoption leave and Queen Mary enhanced maternity/adoption pay or statutory maternity/adoption pay, provided you meet the eligibility requirements set out in the Queen Mary Employee Guide to ([Maternity Leave](#)).

You may choose to take maternity/adoption leave and pay, or you may curtail your maternity/adoption (leave and) pay and opt to convert your maternity/adoption pay to Shared Parental Pay instead, which you will share with your partner. To do this, you must meet the eligibility requirements outlined in the table below.

If you are the partner and a Queen Mary employee: You will still be entitled to ordinary paternity leave from day one and Queen Mary enhanced paternity pay or statutory paternity pay, provided you meet the eligibility requirements set out in the Queen Mary Employee Guide to Paternity Leave (link as above).

You may choose to take ordinary paternity leave and pay and / or provided the birth parent/primary adopter has ended their maternity/adoption leave, you may agree to convert any remaining entitlement Shared Parental Leave which you will share. You can also add Paternity Leave entitlement. To do this, you must meet the eligibility requirements outlined in the table below.

5.2 What is the rate of pay?

Shared Parental Pay is paid for a maximum of 37 weeks. Effectively, this is 39 weeks' Statutory Maternity Pay or Statutory Adoption Pay minus 2 weeks' compulsory maternity leave/adoption leave.

Statutory Shared Parental Pay is paid at the same rate as Statutory Maternity/Adoption Pay. This is determined by the government on an annual basis. The current rate of Statutory Shared Parental Pay can be found here:

<https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>

Queen Mary Enhanced Shared Parental Pay is paid at the same rate as Queen Mary's Enhanced Maternity Pay (with a two-week deduction of full pay as a result of compulsory

maternity leave).

The table below compares the requirements and entitlements of the Statutory Shared Parental Pay Scheme and the Queen Mary Enhanced Shared Parental Pay Scheme:

	Statutory Scheme	Queen Mary Enhanced Scheme
Requirements	<p>To qualify for Statutory Shared Parental Pay, you must:</p> <ul style="list-style-type: none"> ❖ Have 26 weeks' continuous service at Queen Mary by the end of the 15th week before the expected week of childbirth/placement for adoption ❖ Remain in continuous employment with Queen Mary until the week before any period of Shared Parental Leave ❖ Have a partner who meets the 'employment and earnings test' ❖ Have earned above the 'Lower Earnings Limit' in the eight weeks leading up to the 15th week before the expected week of childbirth 	<p>To qualify for Statutory Shared Parental Pay, you must:</p> <ul style="list-style-type: none"> ❖ Have one year's continuous service at Queen Mary ❖ Remain in continuous employment with Queen Mary until the week before any period of Shared Parental Leave ❖ Have a partner who meets the 'employment and earnings test' ❖ Have earned above the 'Lower Earnings Limit' in the eight weeks leading up to the 15th week before the expected week of childbirth ❖ Return to work for at least three months after your Shared Parental Leave ends
Entitlement	<p>If you meet the criteria above, you are entitled to:</p> <ul style="list-style-type: none"> ❖ The standard weekly rate of Shared Parental Pay determined by the government, or 90% of your average weekly earnings, whichever is lower <p>All employees will be entitled to unpaid parental leave from day one of their employment. Pay entitlement will depend upon length of service (26 weeks' statutory pay and 1 year for QMUL scheme).</p>	<p>If you meet the criteria above, you are entitled to:</p> <ul style="list-style-type: none"> ❖ 16 weeks at full pay 8 weeks at half pay <p>13 weeks at Statutory Shared Parental Pay 13 weeks at nil pay</p>

Shared Parental Leave is paid to you by Queen Mary. Queen Mary does not pay Shared Parental Pay to the other parent, unless they are also employed by Queen Mary and meet the eligibility requirements.

The other parent must follow their own employer's Shared Parental Leave Policy in order to determine their eligibility and entitlement to Shared Parental Leave.

The amount of Shared Parental Pay payable to which the birth parent/primary adopter or partner is entitled is not in addition to statutory/Queen Mary Enhanced Maternity/Adoption Pay. The amount of Shared Parental Pay, both statutory and enhanced under the Queen Mary Enhanced Shared Parental Pay Scheme, will be reduced by the amount of statutory or enhanced maternity pay that has already been paid. If, for example, the birth parent takes 16 weeks' maternity leave before converting the maternity leave to Shared Parental Leave, the amount of Shared Parental Pay remaining is 21 weeks, comprising 8 weeks at half pay and 13 weeks at Statutory Shared Parental Pay.

Queen Mary Enhanced Shared Parental Pay includes statutory Shared Parental Pay and the birth parent or partner will not be entitled to the Enhanced Shared Parental Pay in addition to statutory Shared Parental Pay.

The Lower Earnings Limit is set by the government and is the amount of gross weekly earnings which allows an employee to qualify for certain state benefits. The current Lower Earnings Limit can be found on the gov.uk site.

5.3 Some Illustrations

Scenario 1

A birth parent has been employed continuously at Queen Mary for two years and intends to return to work following Shared Parental Leave. They have taken four weeks of Ordinary Maternity Leave and now want to take Shared Parental Leave with their partner. Their partner is employed by another organization and meets the employment and earnings test.

By ending their maternity leave, the birth parent is entitled to share up to 48 weeks' Shared Parental Leave with their partner. They choose to take 15 weeks' Shared Parental Leave as a continuous period and their partner takes the remaining 33 weeks' Shared Parental Leave.

The birth parent will have been paid for four weeks at full pay under Queen Mary's Enhanced Maternity policy. Therefore, their Queen Mary Enhanced Shared Parental Pay for the subsequent 15 weeks will be as follows:

- 14 weeks at full pay
- 1 week at half pay

Their partner will be paid for the remaining 33 weeks by their own employer according to their Shared Parental Leave policy.

Scenario 2

A partner has been employed continuously at Queen Mary for eight months. Their partner, who is the birth parent is employed by another organization and meets the employment and earnings test. They wish to end their maternity leave early so that they and their partner may take 20 weeks' Shared Parental Leave concurrently.

The birth parent must take two weeks' compulsory maternity leave, after which they may end their maternity leave and convert 20 weeks to Shared Parental Leave. They will be paid by their own employer according to their policy.

The partner employed by Queen does not have one year's continuous service. Therefore, they may take 20 weeks' Shared Parental Leave at the Statutory Shared Parental Pay rate. They can also add on two weeks Paternity Leave.

Scenario 3

A partner has been employed continuously at Queen Mary for 5 years and intends to return to work following Shared Parental Leave. The birth parent is currently unemployed but meets the employment and earnings test.

The birth parent is not entitled to Shared Parental Leave as they are not employed. However, the partner may take Shared Parental Leave as the birth parent meets the employment and earnings test.

The partner gives notice to take sixteen weeks' Shared Parental Leave as a continuous period following two weeks Ordinary Paternity Leave after the birth of the child. Queen Mary is obliged to authorize the sixteen-week Shared Parental Leave and the partner is entitled to full Enhanced Shared Parental Pay during this period.

After returning to work, the partner gives eight weeks' notice to take a further four weeks' Shared Parental Leave, but on a discontinuous basis. Specifically, taking two weeks' Shared Parental Leave, returning to work for four weeks, and then taking the further two weeks' Shared Parental Leave. This work pattern is agreed by the employee's manager. The partner's pay entitlement from the child's date of birth will therefore be:

Weeks	Activity	Pay
1 -2	Ordinary Paternity leave	Full Pay (QMUL Enhanced Paternity Pay)
3 -18	Shared Parental Leave	Full Pay (QMUL Enhanced Shared Parental Pay)
19 - 26	At work	Full Pay (Salary)
27 - 29	Shared Parental Leave	Half Pay (QMUL Enhanced Shared Parental Pay)
30 - 34	At work	Full Pay (Salary)
35 - 37	Shared Parental Leave	Half Pay (QMUL Enhanced Shared Parental Pay)

Scenario 4

The primary adopter of a child has been employed continuously by Queen Mary for one year and would like to end their adoption leave after three weeks in order to take Shared Parental Leave. Their partner is employed by another organization and meets the employment and earnings test.

The primary adopter gives notice to take 45 weeks' Shared Parental Leave as a continuous period. Queen Mary is obliged to approve this request.

The primary adopter will be entitled to the Queen Mary Enhanced Shared Parental Pay as follows:

- 15 weeks at full pay
- 8 weeks at half pay
- 13 weeks' Statutory Shared Parental Pay
- 13 weeks' nil pay

Scenario 5 – Taking Leave at the Same Time (Concurrent Leave)

A QMUL employee and their partner both meet the eligibility criteria for Shared Parental Leave and Pay. The mother curtails her maternity leave and pay after 20 weeks. This creates:

- 32 weeks of Shared Parental Leave (SPL) and,
- 19 weeks of Shared Parental Pay (ShPP) remaining (as 20 weeks of statutory maternity pay have already been used, leaving 19 weeks of paid entitlement from the 39-week total)

The parents decide to take SPL at the same time (concurrently) for a period. Both the employee and their partner take 10 weeks of SPL together at the same time. During this period, both claim ShPP concurrently.

In this situation, Shared Parental Pay is a single shared entitlement of 19 weeks, not per parent. When both parents are on leave together, each week of concurrent leave counts as two weeks of ShPP used. Therefore, 10 weeks of concurrent leave results in:

- 20 weeks of ShPP being used (10 weeks × 2 parents)
- Only 19 weeks of ShPP being available

ShPP entitlement is exhausted during the concurrent leave period as:

- Both parents receive ShPP for the first 9.5 weeks each (19 weeks total shared entitlement)
- The remaining 0.5 week of leave each is unpaid

Because leave is taken concurrently, the QMUL employee's access to paid SPL is reduced more quickly than if the leave had been taken consecutively. If the parents had taken leave one after the other instead then;

- The 19 weeks of ShPP would have lasted 19 calendar weeks
- Instead, concurrent leave reduces the paid period to just 9.5 weeks each

6. Manager's Guide to Shared Parental Leave

6.1 When you first hear

This is a legal entitlement for employees who are eligible, and this consideration should inform your actions. When a member of your staff first makes you aware that they believe they are entitled to Shared Parental Leave and propose to use it, you may request an informal discussion to hear plans and have the opportunity to make suggestions from your side, indicate where you might have difficulties and, if they are considering discontinuous leave, what would be acceptable to you.

Clearly your side of the conversation will be informed by your assessment of the impact of their absence on your department and therefore you might need some time to consider this. Having, therefore, a couple of informal discussions may work well for you. It is important as a manager, with help from HR, that you act reasonably and consider all options. Our Flexible Working principles will help.

Shared Parental Leave can seem complex. It is important that, based upon both parents' circumstances, the employee and you work through any plans with HR. This will confirm any planned leave and entitlements across all policies.

6.2 When you are notified

For the details of the employee's notification requirements, see the section 4 above of the employee guide on page 6. When reviewing documentation, note:

If it is for a **continuous block** (an unbroken period of leave contained within a single notice): you cannot refuse this.

If it is for a **discontinuous block** (a broken period of leave contained within a single notice): then you may refuse this. To keep the conversation positive, however, accompany any refusal with constructive suggestions about a pattern of leave that would work well for your department.

Above all, do make sure that you give a response within 14 days. Where you fail to do this in the case of a discontinuous block request, your member of staff becomes entitled to the total duration of the requested leave as a single continuous block which can start eight weeks on from the request.

6.3 If your member of staff changes their mind

Your member of staff, within their allocated three notices, may request a variation of a previously planned period of leave. Again, in the case of a continuous block, you are obliged to accept this. Where it is a discontinuous block, you have the right to refuse it and, where you do, should propose an alternative pattern with a view to reaching a conclusion acceptable to you both.

6.4 During their leave

Your member of staff may have up to 20 Shared Parental Leave In-Touch days. They should agree the number and dates for these with you. It would be helpful to agree with them how to use these productively. Some managers use them as a way to provide a phased return to full working (which may suit the employee, particularly if they are occurring during the Shared Parental Leave period of nil pay), or as a way to trial flexible working. You may want to link them with particular phases of a project.

Whilst they are away, alongside the SPLIT days, you will also want to keep in touch in more

informal ways – a phone call or brief visit. As the manager you are free to make reasonable contact, which can be beneficial to both you and your team member.

If during a period of extended leave, organisational changes are proposed that may affect your employee's existing role, QMUL have a legal duty to formally consult with that individual if their role is considered " at risk". Additional protections are in place regarding redundancy and redeployment for those on maternity leave.

Towards the end of their leave, you should plan with them their return. They are entitled, in general, to return to the role they left, as with Maternity/Adoption Leave. Planning for this return will very much depend on local circumstances, but managers should be sensitive, for example, to the sorts of information that the member of staff will not have as a result of their absence, that will help them back to full productivity as quickly as possible

6.5 Liaising with HR

In managing Shared Parental Leave, the respective roles of Department managers and HR are broadly similar to instances of Maternity/Adoption Leave:

- ❖ The manager remains the manager of the person and should be their main point of contact during their absence.
- ❖ HR will provide advice to managers and to employees
- ❖ In relation to documents, employees access them from the HR web pages, they are signed off by their manager who then forwards them to HR.
- ❖ HR will confirm details in writing to employees and will liaise with Payroll for pay adjustments.

Appendices

- [Form 1 - Notice to end Maternity or Adoption Leave](#)
- [Form 2 - Notice of Entitlement and Intention to take Shared Parental Leave](#)
- [Form 3 - Notice of a Period of Shared Parental Leave](#)
- [Form 4 - Variation to a Period of Shared Parental Leave](#)

Policy information and document control

Policy title	<i>Shared Parental Leave – Employee and Manager Guidance notes</i>
Version number	<i>2. The Code of Practice has been separated into separate Policies and guidelines to cover all aspects of Parental Leave in separate documents.</i>
Related policies and procedures	<i>Maternity Leave and pay provisions Paternity Leave and Pay provisions Special Leave</i>
Superseded policies	<i>Code of Practice Maternity and other Parental Leave</i>
Approval level	<i>Policy Steering Group</i>
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Next review due	<i>May 2029 or earlier if legislative changes</i>
Policy owner	<i>Louise Lester</i>
Policy contact	<i>HR Operations</i>

Version control

Version	Date	Reason for updates/Summary of key changes
1	<i>May 2026</i>	<i>Separated from Code of Practice into separate policy New contacts for HR Operations Employment Rights Act 2025 updates.... day one rights</i>